DELAWARE JUDICIAL NOMINATING COMMISSION

QUESTIONNAIRE FOR NOMINEES FOR JUDICIAL OFFICE

Revised March 30, 2016

QUESTIONNAIRE FOR NOMINEES FOR JUDICIAL OFFICE

		Position Applying For:					
quest printe break	Please submit to the Chairman of the Judicial Nominating Commission <u>seven</u> (7) printed, bound copies of this juestionnaire, with all copies of writing samples and other appendices printed <i>double-sided</i> and attached to each printed, bound copy. <u>Please also submit your application in PDF via email to JNC@state.de.us.</u> If you need to treak your application into more than one PDF file, please attach a cover sheet to each segment that contains your name and the number of total segments (i.e. "John Smith Part I of III").						
NOTE:		Under applicable law, an applicant's membership in a political party must be considered in determining whether such person may be nominated for judicial appointment. Any questions with respect to this matter should be directed to the Chairman of the Judicial Nominating Commission, Gregory Brian Williams, at (302) 622-4211.					
		will be conducted by the State Burecheck to be conducted, <u>you must go</u> before the deadline for submitting to	au of Identi to one of the this applicate vailable	nsent to a state criminal background check that fication (SBI). In order for this background the three SBI locations and be fingerprinted tion. The locations and hours of operation of on its website a tion.shtml.			
I.	PERS	SONAL INFORMATION					
1.	NAM	E:	2.	POLITICAL AFFILIATION:			
			2a.	Has your political affiliation changed within the last two years? If so, please explain.			
3.	OFFIC	CE ADDRESS:	4.	OFFICE PHONE:			
5.	НОМІ	E ADDRESS:	6.	HOME PHONE: CELL PHONE: E-MAIL ADDRESS:			
7.	MARI	ITAL STATUS:	8.	DATE OF BIRTH:			
9.	SPOU	SE'S NAME:	10.	CHILDREN AND THEIR AGES:			
11	ргас	E OF RIPTH	12	PLACES OF RESIDENCE FOR THE			

PAST TEN YEARS:

TT	FDUCATIONAL	INFORMATION
11.	EDUCATIONAL	A INT ORWIA HON

13. EDUCATION (including preparatory, college, and law school):			
	School	Date of Graduation	<u>Degree</u>

III. PROFESSIONAL INFORMATION

14. Please identify all current and previous employers, the position held, dates of employment, the name of your supervisor, and, if applicable, your reason for leaving any employer.

Employer Position Dates of Employment Reason for Leaving

15.	Please describe your current practice or employment.
16.	Please describe any judicial or trial-practice experience you have had, if any, since your admission to the bar.
17.	If you acted as an arbitrator in the past three years, please submit the caption of each matter in which you acted as an arbitrator and the names, addresses, and telephone numbers of the attorneys involved in the arbitration.
18.	Identify at least ten matters or cases in which you have been involved with professional adversaries. Please give the caption of the case or name of the matter; names, addresses, and telephone numbers of all the attorneys involved (including the parties each represented); and, if the matter involved litigation, the name of the judge, and civil or criminal action number. If you are a sitting judge, please list ten recent cases you have heard; the caption of each case; civil or criminal action number; and the names, addresses, and telephone numbers of any attorneys involved (including the parties each represented). If the case was decided by opinion, please submit a copy of that opinion.

19.	Please list any activities from which you have derived income (e.g., self-employment, consulting activities, writing, speaking, royalties, or honoraria) during the last ten (10) years.		
20.	Please identify and provide copies of any writings (e.g., books, articles, columns, scholarly publications blogs, or online articles) you have authored, individually or with others.		
21.	Please identify all speeches you have given in the past ten years in an academic, professional or community setting, and provide the texts of such speeches if available. Speeches that were given in connection with private personal or family matters (e.g. weddings and funerals) do not need to be included.		
22.	Please identify any public offices you have held.		
23.	If you have previously applied for a judicial position, please state (a) the position sought, (b) the year you applied and (c) whether or not your name was forwarded to the Governor for consideration.		
24.	Please identify any professional associations of which you are or have been a member.		
	<u>Association</u> <u>Dates of Membership</u> <u>Currently a Member? (Y/N)</u>		
25.	Please identify any avocational interests or hobbies.		

26.	Please identify any civic, religious, charitable, fraternal or educational organizations of which you are or have been a member, officer or director since graduating from college.
27.	Please provide the names, addresses, and telephone numbers of three persons who are in a position to comment on your qualifications for a judicial position and of whom inquiry may be made by the Commission without embarrassment to you.
28.	Please provide the names, addresses, and <u>current</u> telephone numbers of two persons who have worked with you in administrative support staff positions, such as your current or former secretary, to whom inquiry can be made by the Commission. For each person, please also indicate when you worked with the person and in what capacity.
29.	Please provide a copy of your current resume or biographical statement issued by you or with your consent.

IV. LICENSE INFORMATION

30.	Please list all bars for which you have been admitted:			
	<u>Court</u> <u>D</u>	ate of Admission	Good Standing (Y/N)	
31.	Has your license to practice law in any jurisdiplease attach a separate explanation.	ction ever been withdrawn, suspen	ded, or revoked? If so,	
32.	2. Has any disciplinary action ever been taken in so, please attach a separate explanation.	connection with any of your licer	ses to practice law? If	
33.	B. Please list any applications for professional lie why.	censes or certifications that were d	enied and the reason(s)	
V.	. TAX INFORMATION			
34.	Have you (and your spouse if married, filing income tax returns? If the answer is no, please	· · ·	state, local, and foreign	
35.	5. Have you (or your spouse, if married, filing join If so, describe the circumstances and resolution		thout a valid extension?	
36.	6. Have you ever paid any tax penalties? If so, do	escribe the circumstances and the re	esolution of the matter.	
37.	7. Has a tax lien or other collection procedure estate, or local authorities? If so, describe the collection	• • • • • • • • • • • • • • • • • • • •		
38.	3. Have you ever been or do you expect to be the so, please describe.	subject of any tax, financial, or ot	her audit or inquiry? If	

VI. **COMPETENCY INFORMATION**

39. For the questions in this section, the following terms have the meaning below:

"Ability to perform the essential functions of a judge" means:

- The ability to analyze legal issues to reach reasoned legal judgments; (i)
- The ability to evaluate the credibility of witnesses; (ii)
- The ability to make factual determinations from competing presentations; (iii)
- The ability to make decisions in a timely fashion; (iv)
- The ability to serve in a fair, impartial, and unbiased manner; (v)
- The ability to communicate orally and in writing, in an articulate and logical manner; (vi)
- The ability to demonstrate honesty, integrity, patience, open-mindedness, courtesy, tact, (vii) compassion, and humility in performing judicial functions;
- The ability to exercise control over court proceedings; and (viii)
- (ix) The ability to perform the above functions for a minimum of eight hours per day, five days per week (or such other times as Court may be in session), on a consistent basis.

"Reasonable Accommodation" means a change needed:

- to ensure equal opportunities in the candidate evaluation process; (i)
- (ii) to enable a qualified individual with a disability to perform the essential functions of a judge; and
- to enable a disabled judge to enjoy equal benefits and privileges of employment with (iii) non-disabled judges.

(a)	Do you currently possess the physical and mental ability to perform the essential functions of a judge, with or without a reasonable accommodation?			
	Yes	No		
(b)	Are you currently using illegal obasis or otherwise?	drugs, or do you habitually use illegal drugs on a recreational		

Yes No Do you frequently fail to take any lawful medications which enable you to perform the essential (c)

functions of a judge?		-	_	
Yes	No			

(d) Do you typically consume alcoholic beverages to such an extent that your ability to perform the essential functions of a judge is impaired?

		Yes	No
	(e)	Are you a compulsive gambler, or or counseling for compulsive gamb	have you ever been diagnosed or received treatment, therapy, ling?
		Yes	No
	"yes' beha	", please provide a complete explana	39 is "no", or if the answer to subparts (b), (c), (d) or (e) is tion, including the nature, history and treatment of any such d, please complete the attached Medical Waiver and Consent to your Application.
40.	HAV	E YOU:	
	(a)	Ever been subject to a finding of pr	ofessional misconduct?
		Yes	No
	(b)	Ever been charged with a misdeme	anor or felony?
		Yes	No
	(c)	Ever been subject to any civil or ad	ministrative actions?
		Yes	No
	(d)	Ever been convicted of (or pled gui five (5) years?	lty or no contest to) a traffic violation within the past
		Yes	No
	(e)	Ever been convicted of (or pled gui the offense of Driving Under the In	lty or no contest to or accepted first offender status for) fluence?
		Yes	No
	(f)	Any circumstance in your professi your qualifications or ability to serv	onal or personal life that creates a substantial question as to ye in a Judicial office?
		Yes	No
	(g)	Ever filed a personal petition in b you?	ankruptcy or has a petition in bankruptcy been filed against

Yes	No
-----	----

(h) Ever owned more than 25% of the issued and outstanding shares or acted as an officer or director of any corporation by which or against which a petition in bankruptcy has been filed?

Yes____ No____

(i) Ever been a party to a lawsuit:

Yes____ No____

If the answer to any of these questions is yes, please include an explanation of the matter or matters referred to on a separate sheet of paper.

- 41. Are you aware of anything which may require you to recuse or disqualify yourself from hearing a case if you are appointed to serve as a member of the Judiciary? If so, please describe the circumstances where you may be required to recuse or disqualify yourself.
- 42. What do you believe is the best Delaware Supreme Court decision and why?
- 43. What do you believe is the worst Delaware Supreme Court decision and why?

44. State the reasons why you believe you would be a qualified candidate for the judicial vacancy you are currently seeking. If you currently hold that position, please state the reasons why you believe you should be reappointed. Please use a separate sheet if necessary.

Please sign this Questionnaire, sign and have notarized the attached waivers, and submit paper copies to the address listed below, along with a copy by email to JNC@state.de.us.

Judicial Nominating Commission Gregory Brian Williams, Esquire, Chairman c/o Fox Rothschild LLP Citizens Bank Center 919 North Market Street, Suite 300 Wilmington, DE 19899-2323

DATE:	SIGNED:

MEDICAL WAIVER AND CONSENT

Please complete this Medical Waiver and Consent if you answered "no" to subpart (a), or "yes" to subparts (b), (c), (d) or (e), of Question 39 of this Application. The Judicial Nominating Commission reserves its right to ask an applicant to provide additional information or seek additional written consent for disclosure of medical or other information at any stage in the application process.

The undersigned applicant hereby waives the physician-patient privilege of confidentiality, and does hereby consent that the Delaware Judicial Nominating Commission may examine and copy any and all medical records bearing upon applicant's present state of health in the custody of any physician or health care agency.

The undersigned Applicant acknowledges that this Medical Waiver and Consent expires one hundred and twenty (120) days after the below-listed date unless the Applicant notifies the Judicial Nominating Commission in writing of the Applicant's intent to revoke it prior to the expiration date. The Applicant understands that any action taken in reliance on this Medical Waiver and Consent cannot be reversed, and any such revocation will not affect those actions.

This Medical Waiver and Consent does not authorize re-disclosure of information obtained by the Judicial Nominating Commission absent the express written consent of the Applicant.

Date:		_			
			(Signat	ure of Applicant)	
STATE OF DELAWARE COUNTY OF)	ss.			
The undersigned, upon oat appears hereinabove on the instand is aware of the content thereof the undersigned; and that (he	rument en reof; that the	titled "Medical Wa he same is true and	iver and Consent" correct according	that (he) (she) has read the to the best knowledge an	he same
		-	(Signat	ure of Applicant)	_
SWORN TO AND SUE	BSCRIBED	before me this	day of	, 20	
		-	Notary Public		

WAIVER OF CONFIDENTIALITY -LAW ENFORCEMENT, PROFESSIONAL DISCIPLINARY BODIES, JUDICIAL DISCIPLINARY BODIES

The undersigned applicant hereby waives the benefits of any statute, rule or regulation prescribing confidentiality of records of any state or federal law enforcement agency, any administrative or disciplinary Committee of the State of Delaware, including but not limited to the National Crime Information Center, the State Bureau of Identification, the Board on Professional Responsibility of the Supreme Court, the Office of Disciplinary Counsel of the Supreme Court, the Board of Bar Examiners of the Supreme Court, the Court on the Judiciary of the State of Delaware and the Commission on Continuing Legal Education; and does authorize and request every person, firm, company, corporation, governmental agency, court, association or institution having control of any documents, records or other information pertaining to the undersigned (including, but not limited to, each of the organizations listed above), to furnish to the Judicial Nominating Commission any such information, including documents, records, files regarding charges or complaints filed against the undersigned, formal or informal, pending or closed, or any other pertinent data, and to permit the Judicial Nominating Commission or any of its members, agents or representatives to inspect and make copies of such documents, records, and other information. The undersigned does hereby release and discharge the Judicial Nominating Commission, its individual members as now or hereafter constituted, their agents and representatives, the Office of the Governor of the State of Delaware, and any person so furnishing information, from any and all liability of every nature and kind arising out of the furnishing of information to or investigation made by the Judicial Nominating Commission or in any way arising out of the release and use of information so provided concerning the applicant, and hereby authorizes the Governor of the State of Delaware, after a conditional offer of employment, to obtain from applicant's physician(s) a full report of applicant's present physical condition, and further authorizes said physician(s) to prepare and release such report to the Governor. The undersigned agrees and acknowledges that the Judicial Nominating Commission may disclose certain information concerning the undersigned's application, including a copy of this application, to the Committee on Judicial Appointments of the Delaware State Bar Association.

Date:			
			(Signature of Applicant)
STATE OF DELAWARE)) ss.		
COUNTY OF) 33.		
hereinabove on the instrument Disciplinary Bodies, Judicial Dis	t entitled "Waive sciplinary Bodies"; correct according t	r of Confidenthat (he) (she to the best known	ne) (she) is the person whose signature appears entiality — Law Enforcement, Professional e) has read the same and is aware of the content owledge and belief of the undersigned; and that
			(Signature of Applicant)
SWORN TO AND SUBSCRIBE	D before me this _	day of	, 20
		12	Notary Public
		12	